



DEPARTMENT OF HEALTH

**News Release**

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GOVERNOR

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**DOH PROPOSES HOKULI'A WATER POLLUTION CASE SETTLEMENT**

HONOLULU -- The Department of Health (DOH) is proposing a settlement with Oceanside 1250 Partners ("Oceanside") for muddy storm water discharges from the construction of the Hokuli'a development located between Kealakekua and Keauhou Bay, Kona, and seeks public comment.

Without admitting liability, Oceanside has agreed to pay \$200,000 to settle permit and water quality violations alleged by DOH. \$50,000 in cash will go to the State Environmental Response Revolving Fund, and \$150,000 will go for the design and repair of loading docks at the launch ramps at Keauhou Boat Harbor in Kona, which will benefit ocean users in the coastal area where the discharges occurred. This settlement resolves an administrative Notice and Finding of Violation and Order that DOH issued to Oceanside on November 22, 2000.

The Hokuli'a site covers about 1,500 acres of coastal land on the Kona (west) side of the island of Hawaii. In October 1999, Oceanside received a water pollution control permit from DOH for construction activities. Oceanside was grading and in other ways disturbing the land to build a golf course, clubhouse, and home lots when storms in September and November 2000 washed soil, dirt, silt, and sediment into the Pacific Ocean. The waters offshore from Hokuli'a have renowned SCUBA diving areas. Although Oceanside had implemented storm water erosion control measures, they were overcome by the storms.

The settlement reflects in part various facts. Oceanside had a valid water pollution control permit and had implemented erosion control measures prior to the discharges. After the discharges Oceanside took immediate and extensive measures, reviewed by DOH, costing nearly five million dollars, to prevent

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further discharges of pollutants from the project site. Oceanside paid for a full-time, independent on-site inspector, supervised by the DOH, to monitor Oceanside's implementation and compliance with their revised erosion control plan and established an expanded ocean monitoring program. While there were effects in the receiving waters in 2000, there appeared to be no lasting reef damage in the area.

"We are pleased to finally resolve this case. Our primary goal after the 2000 storms' runoff was to make sure Oceanside prevented any repeat of water pollution, and we recognize the efforts they made. While any settlement involves compromises on both sides, this agreement will provide benefits to the community and is in the public's best interest. We will continue to monitor the site as construction resumes," said Laurence Lau, Deputy Director for Environmental Health.

The public has 30 days to comment on the proposed Consent Order and may view it at the:

Clean Water Branch  
919 Ala Moana Blvd, Room 301  
Honolulu, Hawaii 96814  
Phone: (808) 586-4309

Clean Water Branch  
Kealakekua Health Office  
81-980 Halekii Street, Suite 103  
Kealakekua, Hawaii 96750  
Phone: (808) 322-1507

A copy of the proposed Consent Order is available on the Clean Water Branch's Website at [www.hawaii.gov/health/environmental/water/cleanwater/pubntcs/index.html](http://www.hawaii.gov/health/environmental/water/cleanwater/pubntcs/index.html)

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